

**IN THE UNITED STATES DISTRICT COURT  
FOR THE STATE OF NEW MEXICO**

00 DEC 21 PM 2:58

**STATE OF NEW MEXICO, *ex rel.*  
State Engineer**

**Plaintiff,**

**v.**

**RAMON ARAGON, *et al.*,**

**Defendants.**

69cv07941 JEC-ACE

**RIO CHAMA STREAM SYSTEM  
Rio Gallina, Section 5**

**NEW MEXICO'S MOTION FOR SUBSTITUTION OF PARTIES**

COMES NOW the plaintiff State of New Mexico, *ex rel.* State Engineer ("State") and respectfully requests the substitution of parties pursuant to Rule 25(a)(1). In support of this motion, the State states:

1. Defendant ODELLA LOVATO was properly joined as a defendant to this action and waived service of process by waiver filed August 2, 2000 with the Court.
2. On October 13, 2000, Plaintiff State of New Mexico was informed that defendant ODELLA LOVATO died in early October.

WHEREFORE the State respectfully requests that the ESTATE OF ODELLA LOVATO be substituted as party defendant in this action for the deceased defendant ODELLA LOVATO.

DATED: December 20, 2000

Respectfully submitted,

  
EDWARD G. NEWVILLE

Special Assistant Attorney General  
Office of the State Engineer  
P.O. Box 25102  
Santa Fe, NM 87504-5102  
(505) 827-6150

**CERTIFICATE OF SERVICE**

I certify that a copy of New Mexico's Motion for Substitution of Parties was mailed to the following persons on December 21, 2000.



---

Edward G. Newville

Estate of Odella Lovato  
132 Orchard Garden SW  
Albuquerque, NM 87015

**DISTRIBUTION LIST -- RIO GALLINA SECTION**

Special Master Vickie L. Gabin  
USDC-DCNM  
P.O.Box 2384  
Santa Fe, NM 87504-2384

Darcy S. Bushnell, Esq.  
Adjudication Staff Attorney  
USDC-DCNM  
333 Lomas Blvd. NW, Box 610  
Albuquerque, NM 87102-2272

Karla McCall, Data Manager  
4 Darrah Rd.  
Las Lunas, NM 87031

Bradley S. Bridgewater, Esq.  
David W. Gehlert, Esq.  
USDOJ-ENRD  
999 18th St., Suite 945  
Denver, CO 80202

Mary E. Humphrey, Esq.  
P.O. 1574  
El Prado, N.M. 87529-1574

John W. Utton, Esq.  
P.O. Box 271  
Albuquerque, NM 87103-0271

Fred J. Waltz, Esq.  
P.O. Box 6390  
Taos, NM 87571

Ronald Boyd, Esq.  
208 Griffin Street  
Santa Fe, NM 87501